

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

IN RE: TRICOR® DIRECT PURCHASER : ANTITRUST LITIGATION :	C.A. No. 05-340-SLR (Consolidated) : : :
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**ORDER APPROVING FORM AND MANNER OF NOTICE OF
PENDENCY OF CLASS ACTION TO THE DIRECT PURCHASER CLASS**

AND NOW, this day of , 2008, upon consideration of Direct Purchaser Class Plaintiffs' Motion for Approval of Form and Manner of Notice of Pendency of Class Action, and Memorandum of Law in support thereof, seeking approval of the Notice of Pendency of Class Action ("Class Notice") (attached hereto as Exhibit "A"), Summary Notice of Pendency of Class Action ("Summary Notice") (attached hereto as Exhibit "B"), and manner of notice as described in plaintiffs' Plan of Notice (attached hereto as Exhibit "C"), and finding that the Class Notice, Summary Notice and Plan of Notice meet the requirements of Fed. R. Civ. P. 23(c)(2)(B), it is hereby ORDERED, DECREED, and ADJUDGED that said motion be, and hereby is, GRANTED, as follows:

1. The Court approves the forms of class notice attached hereto as Exhibit "A" and "B."
2. The Court approves the Plan of Notice, which, *inter alia*, includes the definition of the Class and provides for the manner of notice, attached hereto as Exhibit "C."
3. The Court approves **OCTOBER 15, 2008** as the end date for members of the class to mail requests for exclusion as provided for in the Plan of Notice, the Class Notice, and the Summary Notice.
4. Direct Purchaser Class Counsel shall cause the Class Notice to be mailed, by First Class United States mail, to each member of the Class identified in the transactional sales database

that Abbott Laboratories has produced in this litigation and through other means described in the Plan of Notice. Such mailing shall be effectuated on or before **SEPTEMBER 15, 2008**, and shall be performed by Direct Purchaser Class Counsel or their designee.

5. Direct Purchaser Class Counsel or their designee shall cause the Summary Notice be published in *The Pink Sheet* in the issue published on or about **SEPTEMBER 22, 2008**.

6. Direct Purchaser Class Counsel or their designee shall monitor and record any and all opt-out requests that are received.

7. No later than **OCTOBER 29, 2008**, following the close of the period for receipt of timely opt-out requests, Plaintiffs shall file a notice with the Court identifying those entities requesting exclusion from the suit, if any, and informing the Court regarding the status of the mailed Notice program.

IT IS SO ORDERED.

BY THE COURT:

Sue L. Robinson, U.S.D.J.
United States District Court
for the District of Delaware